

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2777

IN THE MATTER OF:

Served October 22, 1985

Application of AMERICAN COACH)
LINES, INC., for a Certificate of)
Public Convenience and Necessity to)
Conduct Charter Operations)

Case No. AP-85-27

By motion filed October 7, 1985, Gold Line, Inc., Eyre's Bus Service, Inc., and National Coach Works, Inc., protestants in the above-captioned matter seek an order from the Commission requiring American Coach Lines, Inc. ("ACL" or "applicant"), to produce for inspection and review by counsel for protestants all ACL charter orders for the period January 1 through September 30, 1985. As justification for this request protestants point to the Commission's finding in Case No. AP-85-08 that ACL lacks the requisite authority to conduct general charter operations within the Metropolitan District and ACL's admission in the same case that it had conducted substantial operations of that type. Protestants desire to examine ACL's charter orders to determine the nature and extent of ACL's unlawful operations within the Metropolitan District. No response to this motion has been received from applicant within the time allowed by Commission Rule No. 15-03.

Inasmuch as Title II, Article XII, Section 4(b) of the Compact provides that an applicant for a certificate of public convenience and necessity prove that it is fit, willing and able to conform to the Compact and the Commission's rules and regulations, the documents requested are clearly relevant to this case. Moreover, the documents requested are reasonable in scope dealing as they do with the nature and extent of applicant's provision of charter service within the Metropolitan District for a recent nine-month period.

THEREFORE, IT IS ORDERED that a representative of American Coach Lines, Inc., appear at the offices of the Commission, 1625 I Street, N.W., Suite 316, Washington, D.C. 20006, on Wednesday, November 6, 1985, at 10 a.m. and produce for inspection and review by counsel for Gold Line, Inc., Eyre's Bus Service, Inc., and National Coach Works, Inc., all charter orders of American Coach Lines, Inc.,

received between January 1 and September 30, 1985, and all charter orders pertaining to services provided between January 1 and September 30, 1985.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS WORTHY, SCHIFTER, AND SHANNON:

A handwritten signature in cursive script, appearing to read "William H. McGilvery".

WILLIAM H. MCGILVERY
Executive Director